



भारत का राजपत्र

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प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या वाली है जिससे कि यह अलग संकलन
के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 10th July, 1989/Asadha 19, 1911 (Saka)

The following President's Act is published for general information:—
THE PUNJAB PANCHAYAT SAMITIS AND ZILA PARISHADS
(TEMPORARY SUPERSESSION) SECOND AMENDMENT
ACT, 1989

No. 4 OF 1989

Enacted by the President in the Fortieth Year of the Republic
of India.

An Act further to amend the Punjab Panchayat Samitis and Zila
Parishads (Temporary Supersession) Act, 1978.

In exercise of the powers conferred by section 3 of the Punjab State
Legislature (Delegation of Powers) Act, 1987, the President is pleased to
enact as follows:—

1. This Act may be called the Punjab Panchayat Samitis and Zila
Parishads (Temporary Supersession) Second Amendment Act, 1989.

2. In the Punjab Panchayat Samitis and Zila Parishads (Temporary
Supersession) Act, 1978, in section 3, in the proviso to sub-section (1),
for the words "ten years and nine months", the words "eleven years and
three months" shall be substituted.

Short title.

Amend-
ment to
section 3
of Punjab
Act 29
of 1978.

R. VENKATARAMAN,
President.

V. S. RAMA DEVI.
Secy. to the Govt. of India.

Reasons for the enactment

The Panchayat Samitis and Zila Parishads in the State were superseded by the Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Act, 1978, on 12.10.1978 for one year. This period had to be extended from time to time for one reason or the other. The present supersession period shall expire on 11.7.1989.

2. The elections to the Gram Panchayats were due in the month of October, 1988. It was decided earlier that the elections to Gram Panchayats be held by 18.3.1989 and to Panchayat Samitis and Zila Parishads by 20.6.1989. Therefore, it was proposed to extend the supersession period up to 30.6.1989 but the Government of India had extended it up to 11.7.1989. Holding of elections according to this programme was not considered conducive in the prevailing circumstances. Now the State Government proposes to hold the elections to Gram Panchayats in the near future. Thereafter, the elections to Panchayat Samitis and Zila Parishads would be held which require a period of more than three months for completion of various statutory formalities under the relevant enactments. Thus the holding of elections to Panchayat Samitis and Zila Parishads are not possible within the extended period which expires on 11.7.1989.

3. It has, therefore, been decided that the period of temporary supersession may be extended for another six months by amending the Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Act, 1978, by a President's enactment.

4. Parliament has under article 357(1) (a) of the Constitution, conferred on the President the power of the Legislature of the State of Punjab to make laws *vide* the Punjab State Legislature (Delegation of Powers) Act, 1987 (24 of 1987).

5. Under the proviso to sub-section (2) of section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1987, the President shall, before enacting any President's Act, consult a Committee constituted for the purpose, consisting of members of both the Houses of Parliament. As the permissible period of supersession of the Punjab Panchayat Samitis and Zila Parishads under the Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Act, 1978 express on the 11th July, 1989 and as the amending Act ought to come into force on the 12th July, 1989, it is not practicable to consult the aforesaid Committee prior to enactment of the Bill. The measure is accordingly, being enacted without reference to the aforesaid Committee.

V C. PANDE,

*Secty. to the Govt. of India,
Ministry of Agriculture
(Department of Rural Development)*